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Before The
Federal Communications Commission
Washington, D.C. 20554

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AUG 22 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Advanced Television Systems) MM Docket No. 87-268
and Their Impact Upon the)
Existing Television Broadcast)
Service)

To: The Commission

SUPPLEMENT TO PETITION FOR RECONSIDERATION

Tri-State Public Teleplex, Inc. ("WNIN"), licensee of noncommercial educational television station WNIN-TV, Channel *9, Evansville, Indiana, by its counsel, hereby supplements its June 13, 1997 Petition for Reconsideration ("Petition") of the *Sixth Report and Order* in MM Docket No. 87-268, FCC 97-115 (released April 21, 1997) ("*Sixth R&O*"). WNIN sought relief from the *Sixth R&O* insofar as it allotted DTV Channel *54 as WNIN's paired digital TV channel.^{1/}

As described more fully in the Petition, requiring WNIN to use DTV Channel *54 would cause substantial and unnecessary hardship. The Petition contained preliminary engineering studies that showed that Channel *12 would work as WNIN's DTV allotment. The purpose of this Supplement is to confirm that Channel *12 is indeed available as requested by WNIN.

^{1/} In the *Order*, DA 97-1377 (released July 2, 1997), the Chief, Office of Engineering and Technology, provided parties requesting reconsideration of individual DTV allotments until August 22, 1997 to submit supplemental information relating to their petitions.

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WNIN's consulting engineering firm, John F.X. Browne & Associates, has studied the allocation situation relevant to the use of DTV Channel *12 at Evansville. As reflected in the attached Engineering Statement (and assuming a power/height combination of no more than 15 kW in the direction of co-channel station KFVS-TV, Cape Girardeau, Missouri at 177 meters HAAT), WNIN could operate DTV Channel *12 without causing interference to any existing NTSC or proposed DTV station. Nor would the DTV station on Channel *12 suffer interference from other stations.

Therefore, WNIN requests that the DTV Table of Allotments be modified to specify DTV Channel *12 as the paired DTV channel for WNIN, instead of Channel *54.

Respectfully submitted,

TRI-STATE PUBLIC TELEPLEX, INC.

By: Todd D. Gray
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August 22, 1997



ENGINEERING STATEMENT

of

John F. X. Browne, P.E.

in Support of

Supplement to Petition for Reconsideration

Tri State Public Teleplex

WNIN-TV

Evansville, IN

Tri State Public Teleplex is the licensee of WNIN-TV, Evansville, IN (WNIN). WNIN presently operates on Channel 9 and provides its VHF television service over a wide area of southern Indiana.

The Commission has allotted Channel 54 at an ERP of 1000 kW to WNIN for its DTV service. Besides being a UHF channel outside of the core which will require a duplication of cost and effort to relocate within the core, WNIN has previously expressed its concern regarding the basic costs of constructing and operating such a large DTV facility. While WNIN realizes that the Commission's objective to replicate the existing VHF station's coverage with this UHF facility is the reasons for the high power requirement, the burden imposed on this public TV station to construct and operate this DTV facility will be excessive.

Alternatives

A study has been conducted to determine whether any VHF television channel could be allotted to complement WNIN's existing VHF NTSC service.

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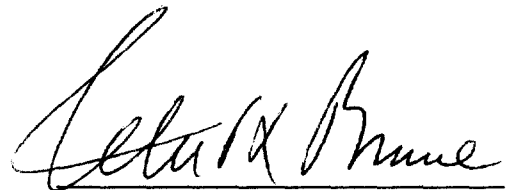
A study reveals that Channel 12 could be allotted to WNIN assuming a height above average terrain not to exceed 177 meters (WNIN's present HAAT). At this height adequate interference protection would be afforded to KFVS-TV Cape Girardeau, MO, a co-channel facility, if WNIN-DT limited its ERP to approximately 15 kW in the direction (based on OET-69).

Conclusion

Channel 12 can be assigned to Evansville, IN as the DTV allotment for WNIN-DT with an appropriate reduction in power towards KFVS-TV.

Certification

This statement was prepared by me or under my direction. All assertions contained in the statement are true of my own personal knowledge except where otherwise indicated and these latter assertions are believed to be true.



John F.X. Browne, P.E.
August 21, 1997